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APPROVED	CHAPTER
JUN 21 '05	26
BY GOVERNOR	P & S LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND FIVE

S.P. 406 - L.D. 1178

An Act Regarding Access to Prescription Drugs and Reimportation

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Governor's Committee To Study the Feasibility of Importation of Prescription Drugs. The Governor's Office of Health Policy and Finance shall reconvene the Governor's Committee To Study the Feasibility of Importation of Prescription Drugs, referred to in this section as "the committee," and shall change the membership and the duties of the committee as follows.

1. The membership must be changed to ensure that the committee includes representatives of the following entities and interest groups: community pharmacies; the Maine Pharmacy Association; the Office of the Attorney General; consumers; organizations representing elderly persons; pharmacy benefit managers; insurance carriers; one Senator appointed by the President of the Senate and one member of the House of Representatives appointed by the Speaker of the House and representatives of the National Legislative Association on Prescription Drug Pricing; the Maine Medical Association; the Department of Health and Human Services, Bureau of Medical Services and Bureau of Elder and Adult Services; and the Department of Professional and Financial Regulation.

2. The duties must be changed to include developing a plan to prepare the State to implement drug reimportation upon approval of the Federal Government through federal legislation or approval of a waiver request. The plan must include the following:

A. Assessment of other state reimportation legislation and programs, including implementation, utilization, costs of administration and savings from utilization;

B. Analysis of the necessary steps to develop an Internet connection, link or website for pharmacies and wholesale providers of prescription drugs to uninsured or underinsured residents and a process for certifying those pharmacies and wholesale providers;

C. Development of procedures for ensuring the health and safety of participants in the reimportation program;

D. Review of relevant state laws and rules, including pharmacy licensing laws, and determination of necessary legislation; and

E. Assessment of other access, quality, safety and economic issues related to the design and operation of a reimportation program.

3. The Governor's Office of Health Policy and Finance must provide necessary staffing services to the committee.

4. The committee shall report to the Joint Standing Committee on Health and Human Services by January 15, 2006 or 30 days after the adjournment of the United States Congress, whichever occurs later. If the United States Congress has passed a law allowing drug reimportation or if the federal Centers for Medicare and Medicaid Services has granted a waiver application, the State may move forward with the development of a plan for a reimportation program based on the findings and recommendations of the committee and review by the Joint Standing Committee on Health and Human Services.